

## CRIME AND TERRORISM

SUBJECT	POSITION
Accountability by Public Officials	<p>Res. 359, Nat'l Convention 2006 "Call for Action on Illegal Immigration Issue"</p> <p>"... That The American Legion seize every opportunity to request an accountability of our elected officials in implementing and enforcing federal and international laws and treaties to stem the flood of illegal aliens across our borders, and</p> <p>"That all candidates seeking public office and the two major party platforms express publicly to the American people their positions and solutions to this grave danger to our country's stability..."</p>

Lax enforcement of immigration laws has invited the criminal element to our society. Alien gangs operate in most, if not all, major U.S. cities. Human and drug smuggling operations are numerous along our southern border. And throughout the country; our prisons are crowded or full because of the illegals convicted of committing crimes against the people of the United States.

It is widely reported that approximately 30 percent of the prison population in this country are non-citizens and that they are being incarcerated at a cost, to U.S. taxpayers, of approximately \$13 billion annually. Estimates on the number of incarcerated illegal aliens is closer to 17 percent, which is a huge number when considering illegals account for only 3 percent of our population.

In California, the cost to incarcerate illegals was \$1.4 billion during a 5-year period and in Indiana, \$28 million annually, according to the Indiana Federation for Immigration Reform and Enforcement (IFIRE). This does not include costs related to law enforcement and expenses incurred by the judiciary or the cost of their crimes that led to their incarceration.

### Investors Business Daily reported in March 2005:

"The U.S. Justice Department estimated that 270,000 illegal immigrants served jail time nationally in 2003. Of those, 108,000 were in California. Some estimates show illegals now make up half of California's prison population, creating a massive criminal subculture that strains state budgets and creates a nightmare for local police forces."

A Justice Department audit conducted last year reported that, on average, each incarcerated illegal alien was re-arrested six times, for crimes ranging from traffic violations to assault. During the same year, a Department of Homeland Security (DHS) official said he expected that most of the 300,000 illegal and legal immigrants eligible for deportation would be released. The reason: they would need 34,000 additional beds at a cost of \$1.1 billion to detain and remove them from the country.

**A year earlier, the General Accounting Office (GAO) issued the findings of their audit of 55,322 incarcerated illegal aliens. It reported the following:**

- They were arrested for a total of about 700,000 criminal offenses, averaging about 13 offenses per illegal alien;

- 49 percent had previously been convicted of a felony, 20 percent on a drug offense; 18 percent for a violent offense and 11 percent for other felony offenses;
- 81 percent of the arrests occurred after 1990;
- 56 percent of those charged with unlawful reentry had the most extensive criminal histories;
- 90 percent had been previously arrested.

The GAO interviewed only about 21 percent of the incarcerated aliens for their report. To get the full extent of the collateral damage, applying the average number of offenses across the full population of incarcerated illegals results in a whopping 1,288,619 crimes.

Children are becoming victims in an alarming number of crimes perpetrated by illegal aliens in the United States. Department of Homeland Security officials reported in January 2007 that arrests during the first two years of a DHS program called "Operation Predator" aimed at child predators netted more than 6,000 arrests of illegal aliens. That averages about 250 arrests per month and eight arrests per day.

Dr. Deborah Schurman-Kauflin, who operates the Violent Crimes Institute in Atlanta, Georgia, participated in a 12-month investigative study of illegal aliens who committed sex crimes and murders from January 1999 through April 2006. The study found approximately 240,000 illegal alien sex offenders reside in the United States while, at the same time, 93 sex offenders and 12 serial sex offenders come across U.S. borders illegally every day.

Schurman-Kauflin, quoted on WorldNetDaily.com, said "Illegal immigrants who commit sex crimes first cross the U.S. border illegally, then gradually commit worse crimes and are continually released back into society or deported. Those who were deported simply returned illegally again. There is a clear pattern of criminal escalation. From misdemeanors such as assault or DUI, to drug offenses, illegal immigrants who commit sex crimes break U.S. laws repeatedly."

To further illustrate the effect that the illegal population is having on our society, consider this: **more Americans are killed by illegal aliens than die in the Iraq War.**

The vulnerability of this country to acts of terrorism because of our porous borders and lack of enforcement of immigration laws has most Americans concerned, and rightfully so. Last year, thousands of illegal immigrants

SUBJECT	POSITION
Forms of identification as they relate to Illegal Aliens	<p>Res. 357, Nat'l Convention 2006 "Prohibit Use of Foreign-Issued Forms of Identification"</p> <p>"... That The American Legion encourages the Congress of the United States and the state legislatures to pass legislation that would prohibit acceptance of certain foreign-issued forms of identification, to include the Mexican government issued Matricular Consular card, when it is determined said documents lack credibility, authenticity and accuracy of information when used in the application process for federal, state and local government-sponsored public services, and</p> <p>"That The American Legion encourages businesses in the private sector, including financial institutions, to refrain from accepting as valid identification, foreign issued documents that are not determined to be acceptable forms of identification; and</p> <p>"That an agency of the federal government, determined by Congress and working in cooperation with other agencies having responsibilities for the administration and enforcement of immigration laws and policies, be tasked with determining the acceptability of forms of identification issued by foreign governments."</p> <p>Res. 46, NEC May 2003 "Prohibit Use of Matricular Consular ID Cards"</p> <p>"... That The American Legion encourages the Congress of the United States and state legislatures to adopt legislation to invalidate the Matricular Consular card as a legal form of identification."</p>

SUBJECT	POSITION
Amnesty for Illegal Aliens	<p>Res. 132, Nat'l Convention 2007 "Oppose Amnesty for Illegal Aliens and Their Employers"</p> <p>".... That The American Legion reiterates its opposition to any and all forms of amnesty for individuals in this country illegally."</p> <p>Res. 348, Nat'l Convention 2006 "Oppose Amnesty for Illegal Immigrants"</p> <p>"....That The American Legion opposes all legislation that would result in the granting of amnesty and legal residency, in any form or by any name, to millions of illegal immigrants currently in the United States."</p>
Oppose Granting Benefits to Illegal Aliens	<p>Res. 340, Nat'l Convention 2006 "Illegal Aliens"</p> <p>".... That aliens illegally in the U.S. should be denied Social Security benefits, unemployment compensation, and other types of public assistance..."</p> <p>Res. 349, Nat'l Convention 2006 "Oppose Financial Aid for Illegal Alien Students"</p> <p>".... That The American Legion opposes any legislation or executive order that would allow illegal aliens and others who are in this country illegally to receive in-state tuition rates, federal or other government education grants and/or financial assistance to attend a college or university in the United States."</p> <p>Res. 351, Nat'l Convention 2006 "Immigration Policy for the 21st Century"</p> <p>".... That The American Legion reiterates its support for measures that will (3) Restrict the eligibility of illegal aliens for publicly-funded assistance."</p>

## EDUCATION

Immigration, both legal and illegal, is having a profound effect on public schools nationwide.

The federal government requires public schools to include English as a Second Language (ESL) programs in their curriculum to accommodate the needs of the non-English speaking students, regardless of their legal status. Additionally, special programs for non-English speaking students is, according to education groups, a hindrance to the overall learning environment in the schools.

Enrollments are projected by the U.S. Department of Education to reach 55 million by 2020 and 60 million by 2030. Immigration will account for 96 percent of the future increase in the school-age population over the next 50 years. **Without school-age immigrants and the children of immigrants, school enrollment would not have risen at all during the past decade.** As it was, school enrollment increased by 14 percent between 1990 and 2000, putting it at an all-time high. Current enrollment exceeds the record set in 1970 when the children of "baby boomers" entered the country's school systems.

The U.S. Supreme Court ruled in *Plyler v. Doe* in 1982 that illegal alien students are entitled to enroll in U.S. public schools at taxpayer expense. The ruling was made immediately prior to the 1986 amnesty and it was believed at the time that the illegal alien students would be amnestied as a result of that program. Also, the number of these students was small enough at that time that it would not create a significant hardship on the United States taxpayers.

The Court provided an escape from this directive. It noted in the decision that the Congress could reverse the decision if the illegal alien students prove to be a financial hardship to the taxpayers and if the students who are legally residing in this country begin to have their own education negatively impacted by the presence of the illegal alien students. **Both of these conditions apply today.**

The impact of illegal immigration on education extends beyond the secondary school level. Several states, including California, Kansas, New Mexico, Oklahoma, Texas, Utah and New York, have passed laws granting in-state tuition rates for illegal aliens, an action in direct defiance of federal laws. Title 8, Chapter 14, Sec. 1623 states: "an alien who is not lawfully present in the United States shall not be eligible on the basis of residence

SUBJECT	POSITION
Employer Sanctions and Work site Enforcement	Res. 132, Nat'l Convention 2007 "Oppose Amnesty for Illegal Aliens and Their Employers": " ... That The American Legion urge the federal government to hold accountable those employers who knowingly hire illegal aliens, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identity theft may have occurred;"
	" ... That illegal aliens convicted of felonies relating to the use of fraudulent identity documents, especially those of children, in order to obtain employment in the United States be promptly deported to their country of origin;"
	" ... That The American Legion adamantly oppose provisions of any comprehensive immigration reform legislation that grants amnesty or forgiveness to the employers of illegal aliens."
	Res. 362, Nat'l Convention 2006 "A Plan to Reduce the Illegal Population": " ... That The American Legion work with CIS to obtain Congressional approval and national acceptance of the plan which includes mandatory workplace verification of immigration status..."
	Res. 340, Nat'l Convention 2006 "Illegal Aliens": " ... That The American Legion supports strict enforcement of employer sanctions as called for in current employment laws that assess heavy penalties on employers who knowingly hire illegal aliens..."

SUBJECT	POSITION
Interior Enforcement	<p>Res. 22, NEC October 2005 "Maintaining and Sharing Federal Immigration Databases"</p> <p>"... That state and local law enforcement agencies be authorized and encouraged to arrest and detain individuals, including illegal aliens, who are suspected of violating the immigration laws of the United States and that policies, whether written or implied, that are contrary to this position, be opposed by The American Legion."</p> <p>Res. 418, Nat'l Convention 2004 "Illegal Immigration Compromises National Security."</p> <p>"... That this country's law enforcement agencies at the local, state and federal levels be empowered with the authority to apprehend and incarcerate individuals who are in this country illegally."</p> <p>Res. 362, Nat'l Convention 2006 "A Plan to Reduce the Illegal Population in the U.S."</p> <p>"... That The American Legion work with CIS to obtain Congressional approval and national acceptance of the plan which includes increased non-criminal removals through increased interior enforcement..."</p> <p>Res. 341, Nat'l Convention 2006 "Immigration Reform"</p> <p>"... (5) Grant law enforcement agencies at the local, state and federal levels the authority to work together to apprehend and incarcerate, where appropriate, illegal immigrants, especially those determined to have ties to terrorist groups and organizations."</p> <p>Res. 351, Nat'l Convention 2006 "Immigration Policy for the 21st Century"</p> <p>"... (5) Provide necessary resources for effective border management and interior enforcement."</p>

within a State ... for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit."

Despite the federal statute, U.S. House Speaker Nancy Pelosi (CA) said in February 2007 that she intends to move legislation that would improve citizenship and education opportunities for illegal immigrant students. The proposed federal legislation reverses Arizona's Proposition 300 requiring public colleges and universities to charge illegal immigrants out-of-state tuition rates.

The Colorado Alliance for Immigration Reform describes in-state tuition for illegals as "an amnesty disguised as an educational initiative." The American Legion agrees.

## DISEASE

Another way that illegal immigration has unfavorably impacted American society is the spread of communicable disease. With no health screening provided to those who slip across our borders undetected, there is no way of knowing how many are spreading serious disease to unsuspecting Americans. In March of 2005, the *Journal of American Physicians and Surgeons* published an article by Madeleine Peltner Cosman, Ph.D., Esq., that addresses the severity of this problem.

In that report she writes "many illegal aliens harbor fatal diseases that American medicine fought and vanquished long ago, such as drug-resistant tuberculosis, malaria, leprosy, plague, polio, dengue and Chagas disease. The influx of illegal aliens has serious hidden medical consequences. We judge reality primarily by what we see. But what we do not see can be more dangerous, more expensive, and more deadly than what is seen."

*The New York Times* reported in February of 2003 that leprosy has become a major health problem in this country and it placed the blame on illegal immigration as the cause. According to the article, 900 cases were reported in the U.S. in the 40 years prior to 2000. Between 2000 and 2003, leprosy infected over 7,000 people in the U.S., brought to this country by illegal immigrants from India, Brazil, Mexico and the Caribbean.

A drug-resistant form of tuberculosis, carried by illegal immigrants, is also impacting our country's health care system. The number of such cases is up 25 percent in this country. The cost of treating the disease is approximately

\$250,000 per patient, with the American taxpayer footing the bill. According to the Center for Disease Control's *Morbidity and Mortality Weekly Report*, "TB cases among foreign-born individuals remain disproportionately high, at nearly nine times the rate of U.S.-born persons."

**Dr. Cosman in her report to the Journal of American Physicians and Surgeons wrote the following as her prescription for protecting the health of Americans:**

- Close America's borders with fences, high-tech security devices and troops;
- Rescind the U.S. citizenship of "anchor babies";
- Punish the aiding and abetting of illegal aliens as a crime; and
- Put an end to amnesty programs.

Sound familiar?

Legal immigrants are required to be screened for contagious diseases before entering the United States. Illegal aliens on the other hand are not screened with many found to be carrying serious contagious diseases. It's not an alarmist's theory, it has already happened, in restaurants, schools and police forces. Who and what will be next?

## EMPLOYMENT AND WAGES

Proponents of open borders and guest worker amnesty programs say illegal immigrants take jobs that Americans won't do. Such statements are demeaning to the general population of this country and especially demeaning to immigrants who enter this country legally, stereotyping them as a lower class of people. What proponents of open borders fail to add is that they take the jobs that Americans can no longer afford to do because of illegal immigration.

To illustrate that point, the Center for Immigration Studies (CIS) issued a report in March of 2006 about the effect of illegal immigration on the labor market. In that report, CIS said that there were almost four million unemployed adult natives (age 18 to 64) with just a high school degree or less and another 19 million that were not working nor looking for work. The number of these less-educated adult natives in the labor force has declined steadily since 2000.

According to the report "between March 2000 and March 2005 only 9 percent of the net increase in jobs for adults (18 to 64) went to natives. This

## APPENDIX A AMERICAN LEGION POSITIONS ON ILLEGAL IMMIGRATION

SUBJECT	POSITION
Border Security	Res. 38, NEC May 2003 "Improve US – Canada Border Security" ".... That The American Legion encourages the Congress of the United States to provide the Department of Homeland Security with the necessary resources to perform its responsibilities and adequately secure the border between the United States and Canada."
	Res. 340, Nat'l Convention 2006 "Illegal Aliens" ".... That the Department of Homeland Security be provided the monies necessary to ensure both the thorough performance of its responsibilities and to ensure the security of the borders of the United States."
	Res. 341, Nat'l Convention 2006 "Immigration Reform" ".... (1) Hire and train additional U.S. Border Patrol agents with employment preference afforded former members of the U.S. Armed Forces." ".... (6) That, as appropriate, military resources be employed to assist in stopping the flow of illegal aliens into this country, and all of the resources of the United States of America be utilized to enforce the security of our country's borders..."
	Res. 351, Nat'l Convention 2006 "Immigration Policy for the 21st Century" ".... (5) Provide necessary resources for effective border management and interior enforcement."

There can be no homeland security until the United States takes control of its borders. There can be no fair labor practices with a workforce comprised of illegal workers. As a nation of laws, the United States sends a wrong message by forgiving and rewarding those who break our laws by invading our sovereign nation. We cannot be secure when 10 million to 20 million individuals whom we don't know are in this country illegally.

There is no simple solution to this complex challenge. Contrary to what some of our leaders may believe, we must put our own citizens first. Today, Americans are paying a huge price for our government's benevolence and open door policies. It's reflected in our schools, in our taxes, at the workplace and in our personal and national feeling of security.

This report alone will not solve the illegal population problem in this country. It will require strengthening the U.S. societal infrastructure. Reform education by offering incentive for high tech professions, thus reducing the outsourcing of American jobs. The U.S. should pursue diplomatic solutions with foreign countries that encourage illegal entry into the United States. We should seek English language initiatives and promote good citizenship through naturalization classes for legal immigrants.

#### **President Theodore Roosevelt expressed his ideas on immigrants and what it means to be an American in a speech in 1907.**

*"In the first place, we should insist that if the immigrant who comes here in good faith, becomes an American and assimilates himself to us, he shall be treated on an exact equality with everyone else for it is an outrage to discriminate against any such man because of creed, or birthplace, or origin. But this is predicated upon the person becoming in every facet an American, and nothing but an American ... There can be no divided allegiance here. Any man who says he is an American, but something else also, isn't an American at all. We have room for but one flag, the American flag ... We have room for but one language here, and that is the English language ... and we have room for but one sole loyalty and that is a loyalty to the American people."*

One hundred years ago ... and the words of Teddy Roosevelt are still appropriate today. Let us not forget them.

is striking because natives accounted for 61 percent of the net increase in the overall size of the 18 to 64 year old population. As for the less educated, using the same period of time, the number of adult immigrants (legal and illegal) with only a high school degree or less in the labor force increased by 1.6 million.”

Steven Camarota, who authored the report, said there are 11.6 million less-educated adult immigrants in the labor force, with nearly half being illegal aliens. Of perhaps greatest concern, the percentage of adult natives without a high school degree who are in the labor force fell from 59 percent to 56 percent during the five-year period, and for adult natives with only a high school degree, participation in the labor force fell from 78 percent to 75 percent.

According to Camarota, “there is some direct evidence that immigration has harmed less-educated natives; states with the largest increase in immigrants also saw larger declines in natives working; and in occupational categories that received the most new immigrants, native unemployment averages 10 percent (twice the national average).”

There are native workers in this country that can do the jobs being held by immigrants. The national unemployment rate was recently reported to be 4.6 percent. At the same time, the number of illegal aliens currently employed in the labor force was 4.9 percent. The numbers tell the story. Illegals cost Americans jobs; employers exploit cheap labor to increase profits. That, combined with the increase of illegal immigrants living below the poverty line, shrinks the U.S. middle class and weakens our economic security.

American Legion Resolution 132, 89th National Convention, Reno, Nevada “Oppose Amnesty for Illegal Aliens and Their Employers” urged the federal government to hold accountable employers who knowingly hire illegal workers, especially those aliens showing suspected fraudulent documents, thus suggesting the possibility that identity theft may have occurred. It also put The American Legion on record as adamantly opposed to any legislative bill that grants amnesty or forgiveness to the employers of illegal aliens.

# THE AMERICAN LEGION'S PROPOSAL FOR U.S. IMMIGRATION REFORM

## STEP ONE

### Secure the borders and other points of entry.

There can be no effective immigration reform without first securing the borders and the coastline boundaries to this country. When the U.S. shows it has control of its borders, then and only then should Congress consider guest worker or temporary worker initiatives.

Securing the borders and coastlines will require additional frontline Border Patrol agents, the newest surveillance technology, fences or barriers in some locations, support from U.S. military units and a commitment of cooperation from federal, state and local governments. A plan, including legislation for implementation, will not work if there is no funding or enforcement. That was a painful lesson learned from the Immigration Reform and Control Act of 1986 (IRCA) amnesty when legalization occurred without securing the borders. The result was a stampede of illegals across our borders to take advantage of our government's benevolence.

U.S. Border Patrol agents, during a recent 5 month period, detained 46,058 non-Mexican migrants along the U.S.-Mexico border, up 12 percent from the 40,953 caught during the same period the previous year. And, according to a recent Denver Post article, non-Mexican migrants detained from 2002 to 2004, the latest years that data could be obtained, included Pakistanis (113), Egyptians (41), Jordanians (55), Iranians (39), Iraqis (22), Yemenis (15) and Saudis (13).

#### The American Legion proposes to Congress that it take the following action to secure the borders:

- Hire and train a sufficient number of U.S. Border Patrol agents to meet assigned objectives. It is The American Legion's position that employment preference be afforded former members of the U.S. Armed Forces.
- Acquire and utilize the latest technology to monitor border activity and search cargo containers, both on the borders and through our nation's seaports.
- Employ U.S. military resources along the borders, whereby units can train in a real world scenario, in support of the U.S. Border Patrol and local law enforcement agencies. Department of Defense surveillance equipment

**The American Legion is not opposed to legal immigration. There are, however, provisos to that statement. For example, The American Legion – has called for immigration quotas be set on a moderate and regulated scale in numbers that enable the immigrants to be readily absorbed into the culture and life stream of the United States (Res. 48, Reduce Immigration Levels, NEC, May 2003).**

- Works with the Hudson Institute to make the intellectual and moral case for a substantively strong and ceremonially rich citizenship naturalization process. The partnership jointly supports the position that candidates for U.S. citizenship possess a level of proficiency with the English language and an understanding of our country's history and its government (Res. 45, Citizenship Naturalization Process, NEC, May 2003).

- Believes that a naturalization ceremony should be made mandatory and conducted in a U.S. District Court. The American Legion also believes that all citizenship naturalization ceremonies in the United States should be conducted in the English language (Res. 339, English Language be Used in Naturalization Ceremonies, 2006 National Convention, Salt Lake City, Utah).
- Supports legislation that allows non-citizen veterans with less than three years of active duty service and who were legally in the United States at the time of enlistment, to seek naturalization if they are injured or their injuries were aggravated while on active duty with the U.S. Armed Forces, resulting in a discharge under honorable conditions (Res. 342, Injured or Disabled Non-Citizen Veterans Applying for Naturalization, 2006 National Convention, Salt Lake City, Utah).

- Asks Congress to mandate an effective reporting system to track foreign students and that it be aggressively administered. The Legion supports sanctions against institutions of higher education who fail to cooperate with the federal government in monitoring and tracking foreign students.

Similarly, The Legion encourages the Congress to provide agencies of government with the necessary resources to track the arrival and departure of foreign visitors (Res. 350, Reform of the Student Visa System, and Res. 353, Tracking Arrival and Departure of Foreign Visitors to the United States, 2006 National Convention, Salt Lake City, Utah).

The American Legion is not specifically opposed to guest-worker programs that are intended to fill labor shortages in the U.S. Such programs, however, must not reward illegal immigrants with an amnesty or forgiveness for previous unlawful behavior and they must be directed at jobs that are unable to be filled by U.S. citizens and other legal residents.

## CONCLUSION

The American Legion has long opposed any great influx of immigrants but, instead, has encouraged a path of moderation, embracing a concept that immigration should be regulated so that immigrants could be readily absorbed into the general population. Assimilation was important to both the government and The American Legion in the 1920's and 30's but it lost some of its luster in recent years as America directed its attention to the illegal migrant population and home and security issues.

Assimilation into our society by new citizens remains important to the welfare of the United States. The failure of this country to absorb new immigrants into its society divides the nation and promotes racial and cultural bias. Immigration into the United States should be based on a two-way contract; that being a commitment by the United States to treat the new immigrants with respect and provide them with the rights and privileges guaranteed all citizens by rule of law. Nothing more, nothing less. The immigrants must pledge their loyalty and allegiance to the United States and that allegiance must take precedence over and above any ties they may have with their native country.

**Candidates for citizenship express that allegiance in a naturalization ceremony when they are asked to take an oath – An Oath of Renunciation and Allegiance. That oath has elements that are important to The American Legion and were outlined in Resolution 356, Oath of Renunciation and Allegiance, passed by delegates to the 88th National Convention of The American Legion in 2006 in Salt Lake City, Utah. Those elements are:**

- Renunciation of all allegiances to foreign states or sovereignties;
  - Support for and defense of the United States Constitution and laws of the United States of America against all enemies, foreign and domestic;
  - Bear 'true faith and allegiance' to the United States of America; and
  - Bear arms, perform noncombatant service, or perform work of national importance on behalf of the United States of America; and
  - Take the oath without mental reservation or purpose of evasion.
- The American Legion believes strongly in maintaining the sanctity of the oath and supports language in the oath that is prescribed by the Congress of the United States for purposes as outlined in the Immigration and Nationality Act. The Legion also calls upon Congress to reject dual allegiance in principle and restrict and narrow its application in practice.

should be authorized for use in border security operations.

- Build fences or other barriers in certain locales along the border to impede easy access to the U.S. It may not be feasible to build a fence the entire length of the southern border with Mexico but fencing is recommended for certain high traffic areas of the border country.
- Build or acquire sufficient detention bed space at border locations.
- Authorize and encourage law enforcement agencies at all levels to cooperate by entering and sharing database information on individuals who are thought to be a threat to our nation's security. Additionally, such agencies should be further authorized and encouraged to arrest and detain individuals, including illegal aliens, who are suspected of violating the immigration laws of the United States.

**Step No. 1 is to secure the borders and other entry points into the United States.**

**Sources:** American Legion Res. 340, Illegal Aliens, 2006 National Convention; Res. 341, Immigration Reform, 2006 National Convention; Res. 38, Improve U.S.-Canada Border Security, NEC May 2003.

## STEP TWO

### **Eliminate the jobs magnet and social services benefits for illegals.**

The second step in immigration reform is the elimination or reduction of employment opportunities in this country for illegal immigrants. If the number of available jobs were reduced, there would be less incentive for illegals to remain in this country. There are native workers available to work in most jobs currently being held by the illegal workforce, if they were given a decent wage.

The American Legion supports mandatory eligibility verification of all employees. It calls upon the federal government to require the Department of Homeland Security and the Social Security Administration to develop a system providing electronic verification of work eligibility and an annual re-verification of aliens.

Employer sanctions put into place following the 1986 amnesty programs were not enforced, a principal reason for the current immigration crisis. The American Legion supports enforcement of immigrant hiring laws and advocates significant civil penalties for employers who knowingly hire illegal workers. The law is clear on the subject:

majority of these individuals are both welcomed and scorned by the country's legal population. These illegals live on the fringe of our society, on one hand adding strength to some segments of our economy while on the other hand, drawing from our public assistance pool at the expense of American workers.

No one can dispute the need to reduce and control the illegal population in the United States. Some wish to deal with the problem by simply granting amnesty and providing an avenue towards citizenship. Others seek to address the problem by reducing the number of illegals in this country through the enforcement of existing and new immigration laws. Included in this group is The American Legion.

The American Legion recognizes that mass deportation of all illegals is not a realistic option. Deportation of select groups is an option and one that should be used. The continuing threat of deportation and possible incarceration would serve as a deterrent to many who may be considering entering the U.S. illegally.

The American Legion endorses the plan to reduce the illegal population as outlined in a paper titled "Attrition Through Enforcement - A Cost-Effective Strategy to Shrink the Illegal Population" that was written by Jessica M. Vaughan, a Senior Policy Analyst at the Center for Immigration Studies (CIS). The plan calls for a strategy of attrition through enforcement of new and existing laws in combination with increased border security efforts. The American Legion adopted Vaughan's plan as part of its strategy for reform of U.S. immigration policy when delegates to the Legion's 2006 National Convention assembled in Salt Lake City, Utah passed Resolution 362, "A Plan to Reduce the Illegal Population in the U.S."

**The resolution called upon The American Legion to work with CIS to obtain Congressional approval and national acceptance of a plan that includes the following objectives:**

- Mandatory workplace verification of immigration status
- Measures to curb misuse of Social Security numbers and IRS identification numbers
- Cooperation between federal, state and local law enforcement officials
- Increased screening of foreign visitors
- Increased non-criminal removals through increased interior enforcement

**Included in the CIS plan were the following findings, previous positions of The American Legion:**

- Discourage illegal settlement by adopting additional laws
- A strategy of attrition through enforcement could reduce the population by as many as 1.5 million illegal aliens each year, or only about 183,000 illegal aliens per year depart without the knowledge of immigration officials, according to Department of Homeland Security statistics;
- Voluntary compliance works faster and is cheaper than an approach to immigration law enforcement. For example, the controversial National Security Entry-Exit Registration program launched after September 11, 2001, the Department of Homeland Security removed roughly 1,500 illegally-resident Pakistani immigrants from the country over their lifetime period, in response to the registration requirement.
- Requiring employers to verify the status of workers about three million illegal workers in three years, about 10 percent of the illegal population. (Res. 351, Immigration Policy Committee, American Legion National Convention, August 2006)
- The Internal Revenue Service knows the name, address, Social Security number, place of birth, and employment history of millions of illegal aliens, and issues hundreds of millions of dollars in tax refunds and tax credits to illegal aliens. Expanding the information-sharing system to provide for information-sharing would help boost enforcement at minimal cost;
- US-VISIT is a critical tool in curbing illegal immigration and expanded to include Mexicans and Canadians, and to deploy an exit-recording system. These steps should lead to adding or expanding any visa program. (Res. 355, Immigrant Visa Program, American Legion National Convention, August 2006);
- Less than 10 percent of Immigration and Customs Enforcement's investigative resources are devoted to fraud, workplace overstayers.
- Laws enacted by the state governments of Florida and Michigan prohibit illegal immigrants from obtaining driver's licenses and require illegal aliens to leave the state if they have been enforcement targets.
- Increased non-criminal removals through increased interior enforcement

The elimination of the reason(s) for remaining in the United States could be the most obvious, effective and best long term solution to the illegal population problem in the United States. Actions supported by American Legion resolutions include: 1) Eliminate employment opportunities; 2) Restrict eligibility for publicly-funded assistance; 3) Stop awarding financial aid benefits to illegal alien students; 4) Empower law enforcement at all levels to enforce immigration laws; 5) Seek diplomatic solutions through relations with foreign governments; 6) Do not issue driver's licenses to illegal aliens; and 7) Designate English as the official language of the U.S. government and print all documents, including election ballots, in the English language.

#### **Step No. 4 is to reduce the illegal population in the United States by a program of attrition through enforcement.**

**Source:** American Legion Resolution 362, A Plan to Reduce the Illegal Population in the United States, 2006 American Legion National Convention.

#### **STEP FIVE**

##### **Effectively screen and track all foreign visitors.**

Much of the illegal population in the United States entered the country by legal means and then overstayed their visas or other entrance documents. Such was the case of several of the September 11, 2001 terrorists who came into the country via legal means and then dropped out of the government's sight until they flew airplanes into the World Trade Center, the Pentagon and into a Pennsylvania farm field, killing almost 3,000 people.

Historically, it has, for the most part, been those who have exploited weaknesses in this country's legal immigration system that have committed acts of terrorism in the United States. They include several individuals involved in the first World Trade Center attack, conspirators in plots to bomb the New York subway system and the plot to destroy New York City landmarks.

The American Legion supports comprehensive screening and background checks on all foreign visitors and a means to track their whereabouts and monitor their intentions while physically in the United States. Releasing them in our society, as has often been the case in the past, is not in the best interest of our national security.

In 2006, delegates to The American Legion's National Convention in Salt Lake City, approved a resolution to urge the Congress of the United States to reform the non-immigrant visa program to establish numerical limits in all categories, especially for temporary workers. Non-immigrant visas

2) Section 245(i) The Extension Amnesty of 1997 – an extension of the rolling amnesty created in 1994.

3) Nicaraguan Adjustment and Central American Relief Act (NASCARA) Amnesty of 1997 – An amnesty for close to one million illegal aliens from Central America.

4) Haitian Refugee Immigration Fairness Act Amnesty (HRIFA) of 1998 -- An amnesty for 125,000 illegal aliens from Haiti.

5) Late Amnesty of 2000 – An amnesty for illegal aliens who claim they should have been amnestied under the 1986 IRCA amnesty, an estimated 400,000 illegal aliens.

6) Life Amnesty of 2000 – A reinstatement of the rolling Section 245(i) amnesty that legalized an estimated 900,000 illegal aliens.

The total net cost of the 1986 IRCA amnesty was more than \$78 billion in the ten years following the amnesty, according to a study released by the Center for Immigration Studies. Today, more amnesty programs are being considered, even though it has been proved that they do not work.

Vernon Briggs, a Cornell University labor and economics professor stated: "The toleration of illegal immigration undermines all of our labor; it rips at the social fabric. It's a race to the bottom. The one who plays by the rules is penalized ... a guest worker program guarantees wages will never go up, and there is no way American citizens can compete with guest workers."

The American Legion is not opposed to the legal temporary workers programs when administered with established numerical limits so as to prevent labor market distortions. Application for such programs must originate from the worker's home country and only after a criminal background check has been conducted.

#### **Step No. 3 is no amnesty for illegal aliens**

**Source:** American Legion Res. 132, Oppose Amnesty for Illegal Aliens and Their Employers, 2007 National Convention; Res. 348, Oppose Amnesty for Illegal Immigrants, 2006 American Legion National Convention.

#### **STEP FOUR**

##### **Reduce the number of illegals in the United States.**

Roughly 10 million to 20 million individuals are currently in this country illegally. No one knows for sure the exact number, but it is safe to say that the